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09/583,432	05/31/2000	Aniruddha P. Joshi	INTL-0361-US	1856

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EXAMINER

HSIA, SHERRIE Y

ART UNIT PAPER NUMBER

2622

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/583,432
Filing Date: May 31, 2000
Appellant(s): JOSHI ET AL.

Timothy N. Trop
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/22/06 appealing from the Office action mailed 3/1/04.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 31-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Brusky (6285406). This rejection is set forth in prior Office Action, mailed 3/1/04.

Claims 31-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyagawa (4989081). This rejection is set forth in prior Office Action, mailed 3/1/04.

Claims 31 and 32 are rejected under 35 U.S.C. 102(e) as being anticipated by Klosterman (5923362). This rejection is set forth in prior Office Action, mailed 3/1/04.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brusky in view of Mahvi (6259486). This rejection is set forth in prior Office Action, mailed 3/1/04.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyagawa in view of Mahvi (6259486). This rejection is set forth in prior Office Action, mailed 3/1/04.

(10) Response to Argument

Regarding appellant's arguments, examiner agrees with appellant that claim 31 calls for "enabling a processor-based system to transition from a lower power consumption state to a higher power consumption state in response to operation of a television receiver." However, examiner does not agree that none of Brusky, Miyagawa and Klosterman anticipates claim 31.

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Examiner asserts that in order to anticipate the invention as claimed, prior art must show the process of “enabling a processor-based system to transition from a lower power consumption state to a higher power consumption state in response to operation of a television receiver.”

By considering the fair and full teaching of the prior art references, and properly applying such to the invention as claimed, each of appellant’s arguments will be refuted and the rejections will be found proper.

First, appellant argues that the PC part of the PC/TV does not power up in response to operation of a television receiver, and it responds only to the on/off button which separately supplies power to both the PC and the TV. However, claim 31 does not differentiate the invention from the prior art. Brusky clearly teaches a television operation device (130, RCU) for operating the television receiver (100). Operating the button (132) of the RCU enables the sub-system (a processor-based system, 115) to transition from the suspend state (a lower power consumption state) to the on state (a higher power consumption state, see col. 5, lines 30-39, col. 7, lines 22-24). Brusky simply meets “enabling a processor-based system to transition from a lower power consumption state to a higher power consumption state in response to operation of a television receiver” as claimed.

Second, appellant argues that Miyagawa does not indicate the VTR a processor-based system which changes from lower to higher power consumption states. This is simply untrue. VTR is well-known to utilize multi-microprocessor system to operate as a main CPU to control

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internal bus. VTR of Miyagawa clearly shows a “bus line” (28). It is certain that VTR of Miyagawa is a processor-based system. Further, as clear indicated by Miyagawa, as the television operation device (remote commander 7) is activated, the control signals emitted from the remote commander are supplied through the television receiver (6) (that is, the signals transmitted through the “operation of a television receiver”) to bus lines 4 and 21, thereby enabling the VTR to transition from the Off state (lower power consumption state) to the On state (higher power consumption state, see fig. 1, col. 3 lines 39-49, col. 4, lines 8-16 and col. 6, lines 2-11, 57-61.) Therefore, Miyagawa clearly meets “enabling a processor-based system to transition from a lower power consumption state to a higher power consumption state in response to operation of a television receiver” as claimed.

Third, regarding appellant’s argument to Klosterman that the rejection is based on a misapprehension of the reference, this is again simply untrue. As indicated by the reference, television receiver operated by remote 32, in response to the selection of the television show the VCR is automatically turned on (that is, from an Off state to an On state). It is clear that the operation of the television receiver enables the VCR to transition from a lower power consumption state (Off) to a higher power consumption state (see col. 8, lines 46-54 and fig. 4). Again, it is clear that claim 31 is anticipated by Klosterman.

As clearly addressed above, the 102 rejections are self-explanatorily refuting the allegation that none of the prior art references anticipates claim 31. Therefore the rejections are based on sound support and are deemed proper.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Sherrie Hsia

October 2, 2006


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